



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (August 2017)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: October 03, 2017

TIME: 11:14 AM

WSR 17-20-077

Agency: Department of Agriculture

Subject of possible rule making: This is the initiation of rule making following the Governor's signature of ESSB 5131 into law, Sections 18-23 of which authorize creation of a self-sustaining and voluntary program for the certification and regulation of marijuana products produced and processed, to the extent practicable, with 7 CFR Part 205 (National Organic Program). Rule making will include the identification of a marketing claim for qualifying products, the development of a fee schedule to provide for the recovery of the full cost of the program, and other rules necessary for the implementation and administration of the certification service.

Statutes authorizing the agency to adopt rules on this subject: RCW 15.125.020 and chapter 34.05 RCW

Reasons why rules on this subject may be needed and what they might accomplish: Rule making will establish a self-sustaining and voluntary program to certify marijuana to a production standard in compliance with 7 CFR Part 205. The authority granted to the agency requires rule making to establish the administrative details regarding this new service. Rule making is needed to identify a marketing claim for qualifying products, to develop a fee schedule to provide for the recovery of the full cost of the program, and other rules necessary for the implementation and administration of the certification service.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Washington State Liquor and Cannabis Board (WSLCB) and Washington Department of Health (DOH): Communication will be maintained and primary contacts established so that marketing claims and enforcement activities are transparent to WSLCB, DOH and the Department of Agriculture.

Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) Department of Agriculture staff will discuss rule making with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will also be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Brenda Book, WSDA Organic Program Manager

Address: 1111 Washington Street SE
PO Box 42560

Olympia, WA 98504-2560

Phone: 360-902-1805

Fax:

TTY:

Email: organic@agr.wa.gov

Web site: agr.wa.gov/foodanimal/organic

Other:

(If necessary)

Name:

Address:

Phone:

Fax:


TTY:

Email:

Web site:

Other:

Additional comments:

Date: October 3, 2017	Signature: 
Name: Candace Jacobs	
Title: Assistant Director, Food Safety and Consumer Services Division	